

IOWA DEPARTMENT OF PUBLIC HEALTH REGULATORY PLAN FISCAL YEAR 2015

**Prepared Pursuant to Executive Order Nine,
Signed on September 14, 1999**

August 1, 2014

Iowa Department of Public Health:

Vision Statement: Healthy Iowans living in healthy communities.

Mission Statement: Promoting and protecting the health of Iowans.

The Department's vision and mission statements broadly describe the obligations imposed on the Department of Public Health by statute. The regulatory objectives and priorities of the Department focus on wellness and prevention while working toward the goal of the health leadership agenda that every Iowan will have access to quality health care services. This year's plan includes rules that are being amended as a result of a Department initiative to review all rules for their effectiveness. This plan was approved by Gerd Clabaugh, MPA, Director of the Iowa Department of Public Health.

The following table, arranged by Department Divisions, summarizes the administrative rules currently under active consideration or development for fiscal year 2015. This plan includes all potential rules under Iowa Administrative Code [641]: Public Health Department and [645]: Professional Licensure Division as well as the following boards, under the umbrella of Public Health: Dental Board [650]; Board of Medicine [653]; Board of Nursing [655]; and Board of Pharmacy [657]. This plan is posted on the Department's web site, http://www.idph.state.ia.us/adper/admin_review.asp

How Can You Participate?

You can participate by contacting the person listed in the summary of a regulatory action. You may also participate by commenting on proposed rules that are published in the Iowa Administrative Bulletin. Once a rule has been proposed, the Department will consider your comments and address them before issuing a final rule. To be most effective, comments should contain information and data that support your position, and explain why they should be incorporated in the final rule. You can be particularly helpful and persuasive if you provide examples to illustrate your concerns and offer specific alternatives.

Chapter # & Title (Subject)	Description of Action, Reason & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person
Acute Disease Prevention and Emergency Response and Environmental Health Division				
IAC 641 -- Chapter 1 Reportable Diseases, Poisonings and Conditions, and Quarantine and Isolation	Update Appendix A:Iowa Department of Public Health Table of Reportable Communicable and Infectious Diseases (add and delete diseases from the reportable disease list)	Iowa Code Chapter 139A	January 2015	Ann Garvey (515) 281-4933
IAC 641 -- Chapter 24 Private Well Testing, Reconstruction, and Plugging – Grants to Counties	Adding arsenic to the list of eligible tests, and clean up language to address clarifications and administrative procedures	Iowa Code 455E.11	January 2015	Carmily Stone (515) 281-0921
IAC 641 -- Chapter 29 Plumbing and Mechanical Systems Board—Application, Licensure, and Examination	Updates for Home Base Iowa Act- Rule change is pending further review with Assistant Attorney General's (AAG) office.	Iowa Code 105	November 2014	Carmily Stone (515) 281-0921
IAC 641 -- Chapter 112 Bio Agent Risk Assessment	Previous discussion with Director and AAG office regarding making language more permissive versus obligatory. Some discussion regarding rule under review.	135	November 2014	Rebecca Curtiss (515) 242-5206
IAC 641 -- Chapter 113Public Health Response Teams	Updates regarding the Department serving as the sponsoring agency	135	January 2015	Rebecca Curtiss (515) 242-5206/Clark Christensen (515) 321-9816
IAC 641 -- Chapter 114 Preparedness Advisory Committee	Brief updates regarding regions and membership	135	March 2015	Rebecca Curtiss (515) 242-5206/Diane Williams (515) 822-8879
IAC 641 -- Chapter 130 EMS Advisory Committee	Minor clean up	147A	March 2015	Rebecca Curtiss (515) 242-5206/Joe Ferrell (515) 281-0601
IAC 641 -- Chapter 131EMS Provider Education/Training/Certification	Clarifying CPR requirements and adding Home Base IA Act components	147A	January 2015	Rebecca Curtiss (515) 242-5206/Joe Ferrell (515) 281-0601
IAC 641 -- Chapter 132 EMS Service Programs	Significant Re-write	147A	January 2015	Rebecca Curtiss (515) 242-5206

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Acute Disease Prevention and Emergency Response and Environmental Health Division (Continued)				
IAC 641 -- Chapter 134 Trauma Categorization and Verification	Significant Re-write	147A	November 2014	Rebecca Curtiss (515) 242-5206/Diane Williams (515) 822-8879
IAC 641 -- Chapter 136 Trauma Registry	Minor clean up Data Dictionary reference	147A.26	November 2014	Rebecca Curtiss (515) 242-5206/Diane Williams (515) 822-8879
IAC 641 -- Chapter 139 Iowa Law Enforcement Care Provider	Rule under Review	147A.4		Rebecca Curtiss (515) 281/5206
IAC 641 -- Chapter 141 Love Our Kids Grant	Clarifications and updates	147A	March 2015	Rebecca Curtiss (515) 242-5206/Katrina Altenhofen (515) 344-1618
IAC 641 -- Chapter 143 AED Program	Clarifications and updates	147A	March 2015	Rebecca Curtiss (515) 242-5206/Joe Ferrell (515) 281-0601
IAC 641 -- New Chapter XX I-POST	Language being finalized.	144D	September 2014	Rebecca Curtiss (515) 242-5206/Katrina Altenhofen (515) 344-1618
Administration and Professional Licensure Division				
IAC 641 -- Chapter 97 Death Registration and Disposition of Dead Human Bodies	Include language that all providers of death data shall use the new electronic death registration system	Iowa Code 144	May 2015	Jill France (515) 281-6762
IAC 641 -- Chapter 99 Vital Records Modifications	Revise language to make amendments or modifications to marriage certificates	Iowa Code 144	May 2015	Jill France (515) 281-6762
IAC 641 -- Chapter 176 Criteria For Awards or Grants	Revise for electronic submission and approval of applications and clarify appeal process	Iowa Code 135.11, 17A	September 2014	Cheryl Christie (515) --281-6645
IAC 645 -- Chapter 4 Board Administrative Processes	Add process for Military Service and Veteran Reciprocity	2014 Iowa Acts ch. 1116	January 2015	Pierce Wilson (515) 242 6529

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Administration and Professional Licensure Division (Continued)				
IAC 645 -- Chapter 31 Licensure of Marital and Family Therapists and Mental Health Counselors	Define requirements for applicants educated prior to current licensure requirements being put into place to address their difficulty obtaining licensure.	Iowa Code 154D	August 2014	Judy Manning (515) 281-4413
IAC 645 -- Chapter 63 Sanitation for Salons and Schools of Cosmetology Arts and Sciences	Clarify disinfection and sterilization requirements to be consistent with national standards.	Iowa Code 157	January 2015	Susan Reynolds (515) 281-5234
IAC 645 -- Chapter 81 Licensure of Dietitians	Amend name of the national association to be consistent with national change and proposed 2014 Iowa Code technical amendment.	Iowa Code 152A, 147, 272C	December 2014	Sharon Dozier (515) 281-6352
IAC 645 -- Chapter 83 Discipline for Dietitians	Amend name of the national association to be consistent with national change and proposed 2014 Iowa Code technical amendment.	Iowa Code 152A, 147, 272C	December 2014	Sharon Dozier (515) 281-6352
IAC 645 -- Chapter 141 Licensure for Nursing Home Administrators	Amend licensure requirements to be consistent with national standards and best practices.	Iowa Code 155, 147, 272C	October 2015	Sharon Dozier (515) 281-6352

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Administration and Professional Licensure Division (Continued)				
IAC 645 -- Chapter 143 Continuing Education for Nursing Home Administrators	Amend continuing education requirements to be consistent with national standards and best practices.	Iowa Code 155, 147, 272C	October 2015	Sharon Dozier (515) 281-6352
IAC 645 -- Chapter 203 Continuing Education for Physical Therapists and Physical Therapist Assistants	Revise the continuing education requirements to allow credit for webinars, completion of clinical residency or fellowship, supervision of students for their clinical education, and participating with professional organizations related to the practice as an officer, delegate or committee member.	Iowa Code 148A, 272C	August 2014	Judy Manning (515) 281-4413
IAC 645 -- Chapter 207 Continuing Education for Physical Therapists and Physical Therapist Assistants	Revise continuing education requirements to allow credit for webinars, supervision of students for the clinical education, and participating with professional organizations related to the practice as an officer, delegate or committee member.	Iowa Code 148B, 272C	August 2014	Judy Manning (515) 281-4413
IAC 645 -- Chapter 240 Licensure for Psychologists	Define requirements for a provisional license, and amend the time requirements for postdoctoral supervision.	154B, 147, 272C	November 2014	Sharon Dozier (515) 281-6352
Behavioral Health				
IAC 641 -- Chapter 11 HIV/AIDS	Updates requirements for training on blood-borne pathogens for emergency and non-emergency personnel; update language on offering of HIV testing; update definition of contagious or infectious disease.	Iowa Code 135; Iowa Code 141A; Iowa Code 709D	November 2014	Randy Mayer (515)242-5150
IAC 641 -- Chapter 21 Central Registry for Brain and Spinal Cord Injuries	Replace reference to International Classification of Diseases (ICD), 9th Revision with new 10th Revision. Clean up outdated language. Add stroke to brain injury registry if so determined.	Iowa Code 135.22	January 2015	Maggie Ferguson (515) 281-8465
IAC 641 -- Chapter 155 Licensure Standards for Substance Abuse and Problem Gambling Treatment Programs	Clean up chapter to reflect changes in code and in terminology in field.	Iowa Code 125	September 2014	Jeff Gronstal (515) 242-6162

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Health Promotion and Chronic Disease Prevention Division				
IAC 641 -- Chapter 5 Maternal Deaths	Revise rules to clarify role of Department; define role of committee members, how appointed, length of terms; and expand committee membership to include experts in domestic violence, substance abuse, behavioral health, mental health	Iowa Code 135.11, 135.40	January 2015	Stephanie Trusty (515) 281- 4731 Denise Wheeler (515) 321- 8159
IAC 641 -- Chapter 9 Outpatient Diabetes Education Programs	Considering elimination of the state certification and only accepting recognition by a national entity/entities. If this occurs and statute is changed, will rescind rules	Iowa Code 135.11	March 2015	Laurene Hendricks (515) 242- 6204
IAC 641 -- Chapter 73 Special Supplemental Nutrition Program for Women, Infants and Children (WIC)	Update or revise rules to reflect: definition changes/updates; FNS guidance; Iowa WIC Policy; separate participant and vendor appeals and fair hearings into separate sections; meet requirements outlined in the most recent vendor management evaluation final report.	Federal regulations and Iowa Code	March 2015	Kimberly Stanek/ Jill Lange (515) 281- 7095
IAC 641 -- Chapter 75 Statewide Obstetrical and Newborn Indigent Patient Care Program	Review for necessary revisions to update OR consider for deletion due to funding issues.	Iowa Code 135.152	June 2015	Stephanie Trusty (515) 281- 4731/ Denise Wheeler (515) 281- 4907

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Health Promotion and Chronic Disease Prevention Division (Continued)				
IAC 641 -- Chapter 150 Iowa Regionalized System of Perinatal Health Care	Revise rules based on redesign. Clarify role of advisory committee related to hospital level designation recommendations and definitions of the levels of care; they are not consistent with current recommendations from American Academy of Pediatrics. Revise to reflect standards of practice for screening and testing for infectious diseases for prenatal clients. Adopt rules incorporating the CDC's prenatal guidelines as the state guidelines for prenatal testing and care relative to infectious disease	Iowa Code 135.11	March 2015	Stephanie Trusty (515) 281-4731/ Denise Wheeler (515) 321-8159
IAC 641 -- Chapter 202 Certificate of Need Program	Update and add reporting requirements currently in Chapter 204.	Iowa Code 136.61-83	September 2014	Barb Nervig (515) 281-4344
IAC 641 -- Chapter 203 Standards for Certificate of Need Program	Update standards for services still reviewed; rescind standards for services no longer reviewed.	Iowa Code 136.61-83	May 2015	Martha Gelhaus (515) 242-5224
IAC 641—Chapter 204 Uniform Reporting Requirements	Rescind chapter, incorporating necessary information into Chapter 202.	Iowa Code 136.61-83	September 2014	Barb Nervig (515) 281-4344

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Health Promotion and Chronic Disease Prevention Division (Continued)				
IAC 641 -- XX (New) 1 st Five Healthy Mental Development Initiative	Adopt programmatic rules based on legislation.	HF 2463	May 2015	Marcus Johnson-Miller (515) 473-4540/ Rebecca Goldsmith (515) 281-7721
Dental Board				
IAC 650 -- Chapter 20 Dental Assistants Propose NEW Chapter 23 Expanded Functions for Dental Auxiliaries	<p>Based on recommendations from the Board's Expanded Function Dental Auxiliary Taskforce and requests from dental hygienists:</p> <p>Current expanded function procedures are limited to dental assistants as all rule language is placed inside of chapter 20 which governs dental assistants only.</p> <p>Remove all expanded function language from chapter 20 and place in NEW chapter 23 to cover both dental assistants and dental hygienists.</p> <p>This will allow dental hygienists to perform these same expanded function procedures provided they have met the educational and training requirements.</p> <p>Provide additional expanded function procedures that both dental assistants and dental hygienists can provide and set education and training requirements for these new procedures.</p>	153.39	Board will review draft language on July 31, 2014	Phil McCollum (515) 281-3739

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Board of Medicine				
IAC 653 -- Chapters 1-26	Continue a 5-year rolling review of all of the Board of Medicine's administrative rules as per Section 17A.7, subsection 2	Iowa Code 147, 148, 17A, 272C	Notice in FY2015	Mark Bowden (515) 242-3268
IAC 653 -- Chapter 9 Permanent Physician Licensure	<ol style="list-style-type: none"> 1. Assessing ongoing clinical competence for medical licensure (maintenance of licensure) 2. Accommodating "Home Base" initiatives to expedite licensure for veterans 3. Relinquishment of medical license 	Iowa Code 147, 148 and 272C	Notice in FY2015	Mark Bowden (515) 242-3268
IAC 653 -- Chapter 10 Resident, Special and Temporary Licensure	<ol style="list-style-type: none"> 1. License for administrative medicine 2. Provisional medical license for qualifying veterans 	Iowa Code 147, 148 and 272C	Notice in FY2015	Mark Bowden (515) 242-3268
IAC 653 -- Chapter 13 Standards of Practice	<ol style="list-style-type: none"> 1. Telemedicine standards 2. Preserving records when practice closes 3. Use of PMP database when prescribing 	Iowa Code 147, 148 and 272C	Notice in FY2015	Mark Bowden (515) 242-3268
IAC 653 -- Chapter 17 Licensure of Acupuncturists	Update rules to reflect national standards for training, definitions, etc	Iowa Code 147, 148E and 272C	Notice in FY2014	Mark Bowden (515) 242-3268
IAC 653 -- Chapter 23 Grounds for Discipline	Possible changes in how civil penalties are assessed in disciplinary cases	Iowa Code 147, 148 and 272C	Notice in FY2015	Mark Bowden (515) 242-3268
IAC 653 -- Chapter 25 Contested Case Proceedings	Possible changes in role of administrative law judges in contested case proceedings	Iowa Code 147, 148 and 272C	Notice in FY2015	Mark Bowden (515) 242-3268

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Board of Nursing				
IAC 655 -- Chapter 1 Administrative and Regulatory Authority	Review chapter and revise as needed.	147.36	2015	Kathy Weinberg (515) 281-3256
IAC 655 -- Chapter 3 Licensure To Practice – Registered Nurse/Licensed Practical Nurse	Review and revise chapter for licensure, clarify and update language.	147.36	2015	Kathy Weinberg (515) 281-3256
IAC 655 -- Chapter 4 Discipline	Review chapter and revise as needed, clarify and update language.	147.36	2015	Kathy Weinberg (515) 281-3256
Board of Pharmacy				
IAC 657 -- Chapter 2 Pharmacist Licenses; Chapter 3 Pharmacy Technicians	Review and amend rules as necessary to implement applicable provisions of SF303, Section 34 relating to licensure of current and former members of the armed services	SF303, Section 34	December 2014	Terry Witkowski or Lloyd Jessen (515) 281-5944
IAC 657 -- Chapter 10 Controlled Substances	Drug scheduling actions in response to actions taken by the federal DEA.	Iowa Code 124.201	Dependent on federal DEA action	Terry Witkowski or Lloyd Jessen (515) 281-5944
IAC 657 -- Chapter 13 Sterile Compounding Practices, and IAC 657— Chapter 20 Pharmacy Compounding Practices	Review and amend various rules and definitions as needed for consistency between the chapters and to clarify applicability and requirements	Iowa Code 155A.13	January 2015	Terry Witkowski or Lloyd Jessen (515) 281-5944

Chapter # & Title (Subject)	Description of Action, Reason & Alternatives	Legal Basis for Action	Schedule for Action	Contact Person
Board of Pharmacy (Continued)				
IAC 657 -- Chapter 19 Nonresident Pharmacy Licenses	Review rules and Iowa Code requirements relating to nonresident pharmacy licenses; amend as deemed necessary; propose legislative amendments	Iowa Code 155A.13A	November 2014	Terry Witkowski or Lloyd Jessen (515) 281-5944
IAC 657 -- Chapter 23 Long-Term Care Pharmacy Practice	Review and amend various rules as needed to reflect changes in federal law, regulations, and guidance and to utilize technology solutions	Iowa Code 155A.13	April 2015	Terry Witkowski or Lloyd Jessen (515) 281-5944
IAC 657 -- Chapter 37 Iowa Prescription Monitoring Program	Review and amend rules as needed to permit sharing of program data with other states as specified by law	Iowa Code 124.553 as amended by SF2080	August 2015	Terry Witkowski or Lloyd Jessen (515) 281-5944
IAC 657 -- Chapter XX (New) Limited Drug and Device Distributor Licenses	Define limited drug and device distributors (LDDD). Establish license and practice requirements of businesses not qualified for pharmacy or drug wholesale licensure that engage in the delivery of prescription home health aides and supplies and medical gases.	Iowa Code 155A.33 and 155A.4	March 2015	Terry Witkowski or Lloyd Jessen (515) 281-5944
IAC 657 -- Chapter XX (New) Telepharmacy Practice	Define telepharmacy, establish license and practice requirements for the operation of a telepharmacy and for utilization of certified pharmacy technicians in the practice of telepharmacy; propose legislative amendments	Iowa Code 155A.13, 155A.33	January 2015	Terry Witkowski or Lloyd Jessen (515) 281-5944
IAC 657 -- Multiple Chapters	Redefine responsibilities of the pharmacist in charge in a licensed pharmacy, other pharmacists and staff practicing or working in the pharmacy, and the owner of the pharmacy	Iowa Code 155A.13, 155A.13A	April 2015	Terry Witkowski or Lloyd Jessen (515) 281-5944